

# **TOWN OF TIVERTON**

## **“PAY AS YOU THROW” WASTE COLLECTION PROGRAM REGULATIONS AND PROCEDURES**

**As Adopted by the Town Council October 25, 2010**

### **1. DEFINITIONS**

**1.1** “Authorized Bag” means either of two specifically colored rubbish disposal bags designated by the Director of Public Works to be used for the disposal of Town residential refuse.

**1.2** “Landfill” means specifically the Town of Tiverton landfill.

**1.3** “Qualified Individuals” means those persons qualified for the free bag Program (see Section 6 below), who either are recipients of the Town’s Elderly Exemption for Property Tax (based on minimum age of 65 and income limits) or otherwise in a situation of financial hardship. Financial hardship may be demonstrated by qualifying for income requirements as set forth from time to time by the Town of Tiverton. Recipients shall provide all necessary income information as required for proof of eligibility to the Tax Assessor on a yearly basis. The Tax Assessor shall make the decision as to Qualified Individual status in accordance with income limits.

**1.4** “Town” means the Town of Tiverton, and its government.

**1.5** “Residential Waste” means all residential solid waste produced by residents of single-family, seasonal, and multi-family dwellings and all waste defined as “municipal solid waste” by R.I.G.L. 23-19-5.

**1.6** “Residential Waste Generator” means all residents of single, seasonal, and multifamily dwellings who generate residential waste within the Town.

1.7 “Bulky Waste” shall mean all residential wood construction debris, box springs, mattresses, and car tires. These items are accepted only at the landfill for a recycling fee. White Goods (stoves, refrigerators, washing machines, driers) and other large metal items are accepted curbside on specific days for a fee. White Good items can also be brought to the landfill for disposal, free of charge.

## **2. PURPOSE AND RESPONSIBILITY.**

The purpose of these regulations is to provide authority and guidance for the “Pay as you Throw” waste collection program authorized by the Town Code of Tiverton, Article III, Division 1, Section 66-50. The Director of the Department of Public Works, in consultation with the Tiverton Recycling /Landfill Committee, shall be responsible for implementing and carrying out these regulations, subject to Section 7.2 herein.

## **3. AUTHORITY.**

The regulations and procedures contained herein are adopted by the Town Council pursuant to the Town Code of Tiverton, Article III, Division 1, Section 66-50: ADOPTION OF REGULATIONS FOR “PAY AS YOU THROW” and are intended to further implement the Town Council actions of 4/18/1994 and the revised Closure Plan for the Town of Tiverton Landfill dated September 1993.

## **4. GENERAL REQUIREMENTS**

4.1. All Residential Waste Generators who wish to dispose of their own

Residential Waste at the Landfill, either by curbside pick-up or direct disposal, must first purchase an Authorized Bag.

**4.2.** All Residential Waste disposed of directly at the Landfill must be contained in an Authorized Bag.

**4.3.** Solid waste haulers contracted by the Town to haul waste within the Town may only accept Authorized Bags for pickup, unless hauling waste on a date specifically approved by the Director of Public Works for hauling other large solid waste items and/or White Goods that cannot go into the Authorized Bags.

**4.4.** Disposal of certain Bulky Waste by Residential Waste Generators which cannot be placed in Authorized Bags will be charged separately for disposal in the landfill. (Reference: 1.7 Bulky Waste)

**4.5.** The only exception to these regulations for Residential Waste shall be determined by the Director of Public Works, and ~~shall~~may include:

- a) Bulky Waste, disposal of which is arranged by the Residential Waste Generator and the Director of Public Works; and/or
- b) Specific days established by the Director of Public Works for the disposal of bulk items; and/or
- c) Specific holiday periods when certain requirements, such as the use of only authorized waste disposal bags, may be suspended.

**4.6** Materials which originate beyond the limits of the Town will not be accepted at the Landfill unless approved by the Director of Public Works.

## **5. AUTHORIZED WASTE DISPOSAL BAGS**

**5.1** There shall be two (2) sizes of bags available for purchase by residents of the Town of Tiverton that shall be acceptable for curbside pick-up or direct landfill disposal.

**5.2** Authorized Bags shall be procured by the Town pursuant to the municipal bidding laws of R.I.G.L §45-55.

**5.3** Authorized Bags shall bear special markings. The look and/or wording of these special markings shall be determined per contract with that contractor chosen to manufacture the bags pursuant to Section 5.2.

**5.4** In addition to the subsection above, Authorized Bags may be distinguished by any/or all of the following:

- a) Bright coloring of the bags or coloring unusual for a trash bag;
- b) Logo of the Town of Tiverton;
- c) Stripes or other distinctive marks.

**5.5** Authorized Bags shall be available for purchase at convenience stores, grocery stores, home improvement stores, pharmacies, and other retail establishments throughout the Town of Tiverton or other areas frequented by Tiverton residents. Agreements with those distributors pursuant to this subsection are to be negotiated and arranged by that contractor which is awarded the bid to provide the Authorized Bags to the Town of Tiverton;

**5.6 Price/Size** The following bags will be offered:

- a) 15 gallons, sold for one (\$1.00) dollar each.
- b) 35 gallons, sold for two (\$2.00) dollars each.

## **6. FREE BAG PROGRAM**

**6.1** The Tax Assessor shall prepare and maintain a non-public list of Qualified Individuals, and shall work with the Director of Public Works to develop a system of distribution of such free bags while maintaining the privacy of the Qualified Individuals.

**6.2** Each Qualified Individual shall be entitled to receive up to twenty-six (26) free bags of either 35-gallon or 15-gallon size per 26-week period.

## **7. ANNUAL REVIEW.**

**7.1** The “Pay as you Throw” program as a whole shall be reviewed by the Town Council upon the one (1) year anniversary of the date that it is instituted.

**7.2** Any further regulations or policies implementing the day-to-day operation of this program shall be submitted to the Town Council not less than thirty (30) days prior to becoming effective, to allow any Town Council member to place it as an Agenda Item for review. The regulations or policies shall then take effect after thirty (30) days if no contrary Town Council action has been taken.

**7.3** Notwithstanding this section, the Town Council may amend these regulations as it sees fit at any time.

## **8. REVENUE**

**8.1** All net revenue generated from the sale of Authorized Bags shall be placed into the Restricted Account “Landfill Closure Fund.” This account to be used pursuant to the direction of the Financial Town Meeting or the Town Council solely

related to the closure of the landfill, after consideration of any recommendations of the Recycling /Landfill Committee and/or Director of Public Works.

**8.2** The Town Treasurer shall provide the Town Council with a quarterly report as to the amount of net revenue being generated by the sale of bags and how revenue is being implemented within the Landfill Closure Fund.

**8.3** The Treasurer shall provide to the Town Council, on a quarterly basis, the investment report of the funds and the investment returns, and such other information as the Town Council shall require.

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